

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL ACTION NO. 3:20-CV-389-FDW-DCK**

KRISTIN NEESER,

Plaintiff,

v.

**MAC ACQUISITION LLC, SULLIVAN'S
HOLDING LLC d/b/a SULLIVAN'S
STEAKHOUSE,**

Defendants.

ORDER

THIS MATTER IS BEFORE THE COURT on the “Consent Motion For Extension Of Time To Answer Or Otherwise Plead In Response To Plaintiff’s First Amended Complaint” (Document No. 14) filed September 28, 2020. This matter has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C §636(b) and immediate review is appropriate. Having carefully considered the motion and the record, and noting consent of the parties, the undersigned will grant the motion.

This matter is governed by the “Standing Order Governing Civil Case Management Before the Honorable Judge Frank D. Whitney.” (3:07-MC-047-FDW, Document No. 2). As such the “Initial Scheduling Order,” issued in this case on July 16, 2020, provides in pertinent part:

Extensions of time to serve pleadings shall not be granted except by leave of court for good cause shown (consent of opposing counsel alone is not sufficient). **Absent extraordinary circumstances, no party shall receive more than one extension of time to serve a pleading, with any such extension being no more than twenty (20) days in duration.**

...

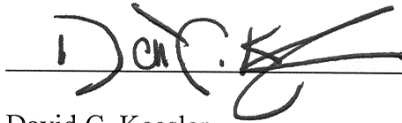
Any motion to extend the forgoing time... shall be filed immediately upon counsel learning of the need for the same and in any event no fewer than three (3) business days in advance of

the filing deadline sought to be modified. The moving party must show consultation with opposing counsel regarding the requested extension and must inform the Court of the views of opposing counsel on request. If a party fails to make the requisite showing, the Court will summarily deny the request for extension.

(3:07-MC-047-FDW, Document No. 2) (emphasis added).

IT IS, THEREFORE, ORDERED that the “Consent Motion For Extension Of Time To Answer Or Otherwise Plead In Response To Plaintiff’s First Amended Complaint” (Document No. 14) is **GRANTED**. Defendants shall file an answer or otherwise respond to Plaintiff’s Amended Complaint on or before **October 6, 2020**.

Signed: September 29, 2020



David C. Keesler
United States Magistrate Judge

